

West Virginia Board of Medicine Quarterly Newsletter

April 2001 – June 2001

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New Rule from the Pharmacy Board

The West Virginia Board of Pharmacy has asked that we publish the following in the Newsletter. We hope it will be helpful to you. If you have questions, call the Pharmacy Board at 304-558-0558.

15 CSR 2, the Rule of the Board of Pharmacy for the Uniform Controlled Substances Act, was replaced this legislative session with a new rule that went into effect on May 1, 2001. Section 7 of the rule governs the issuance, filling, and filing of prescriptions and therefore affects your prescriptive practices. Of particular importance are the following requirements:

1. Each controlled substance prescription must be written on a separate blank and no non-controlled substance can be ordered on a blank with a controlled substance. No more than one controlled substance can be written per prescription blank. This rule applies to outpatient prescriptions only and exempts prescriptions written for patients of an institutional facility.
2. Every controlled substance prescription must have the name of the practitioner stamped, typed, or printed legibly on the face of the prescription.
3. If a pharmacist receives a prescription that does not conform to the rule, then the pharmacist must refuse to fill it unless the pharmacist determines in their professional judgement the immediate necessity for the patient to receive their medication. In that case, the pharmacist must contact the prescriber as soon as possible to inform them that the prescription was not written according to law. If the pharmacist continues to receive

prescriptions from the same practitioner that do not comply with the law, then the pharmacist shall inform the Board of Pharmacy who will file a formal complaint with that practitioner's licensing board.

Brief Report on 2001 Legislative Session

House Bill 3241 – extended the existence of the Board of Medicine (scheduled to terminate July 1, 2001) until July 1, 2005.

House Bill 2815 – requires every physician, podiatrist and physician assistant licensed by the Board of Medicine to complete two hours of continuing education coursework in the subject of “end-of-life care including pain management during each continuing education reporting period”. The two hours are part of the total hours of continuing education required – not two additional hours. Those renewing licenses in 2002 (medical doctors A – L) will be the first group subject to this requirement.

House Bill 2227 – permits the license application fee to be waived for physicians or podiatrists licensed in another State who wish to provide services at a children's summer camp in West Virginia for not more than one specifically designated three week period annually.

House Bill 2751 – requires the Board of Medicine to issue a one year “limited license to practice medicine and surgery without examination” to a physician appointed to a medical school faculty who holds a valid license in another state and who meets certain other requirements set out. The medical practice of the physician is limited to the medical center where the physician is a faculty member.

Committee Substitute for Senate Bill 299 – authorized amendments to two Board Legislative Rules, 11 CSR 1A, the licensing, discipline and complaint rule for physicians and podiatrists, and 11 CSR 1B, the licensing, discipline, complaint procedure and continuing education rule relating to physician assistants. 11 CSR 1A is reorganized and updated and contains several new provisions relating to discipline, including the necessity for keeping a patient's medical records for a minimum of three (3) years from the last patient encounter and the need to maintain an on-going physician-patient relationship if a physician is issuing prescriptions (there are exceptions in an emergency, or an on-call or cross coverage situation, or where patient care is rendered in consultation with another physician in specified cases). This rule became effective June 1, 2001.

Few changes were made in 11 CSR 1B, but the rule clarifies that to obtain limited prescriptive privileges, a physician assistant must have performed patient care services for a minimum of two (2) years immediately preceding the request for prescriptive privileges, and that the first year of patient care services may be as a student in an approved physician assistant program.

For a complete view of what these new laws and the amended rules state, the provisions of each should be examined. Copies of the bills described, or any other bills which passed during the 2001 Legislative Session, may be obtained by calling the House of Delegates Clerk for a House Bill at (304) 340-3200, or the Senate Clerk for a Senate Bill at (304) 357-7800. Copies of any rule may be obtained by contacting the Secretary of State's Office at (304) 558-6000. In addition, the entire Medical Practice Act, containing the new legislation, as well as all the Board rules, are contained in the 2001 booklet: West Virginia Board of Medicine Medical Practice Act and Rules.

The booklet is provided to everyone licensed by the West Virginia Board of Medicine, and is available to others at a cost of \$50.00.

BOARD ACTIONS

April 2001 – June 2001

BURKE, JR., PAUL W., M.D. - Parkersburg, WV (05/31/01)
WV License No. 13039

Board Finding: Been or is unable to practice medicine with reasonable skill and safety to patients by reason of excessive use of alcohol.

Board Action: Suspended license reinstated effective June 1, 2001; immediately upon issuance, license was revoked; such revocation was immediately stayed; and said license was placed in a probationary status for a period of five (5) years, subject to conditions.

CURTIN, WILLIAM JAMES, M.D. - Williamson, WV (05/21/01)
WV License No. 18918

Board Finding: Relating to unethical or unprofessional conduct.

Board Action: To successfully complete and document completion of one (1) course in medical ethics and one (1) course in medical recordkeeping.

RIZVI, HIL, M.D. - Frostburg, MD (06/05/01)
WV License No. 18943

Board Finding: Dr. Rizvi has complied, to date, with the original Consent Order entered into between the Board and Dr. Rizvi on August 17, 1999. The underlying Ohio disciplinary action was reversed and his Ohio license was restored.

Board Action: Dr. Rizvi's license to practice medicine in the State of West Virginia was restored in full without restrictions or conditions as of March 12, 2001, and his period of probation was terminated.

WALTER, STEVEN WAYNE, M.D. – Lewisburg, WV (04/02/01)
WV License No. 16305

Board Finding: Inability to practice medicine and surgery with reasonable skill and safety due to . . . abuse of . . . alcohol and relating to Dr. Walter's inability to practice medicine with reasonable skill and safety due to his alleged excessive use of alcohol and by becoming a chronic or persistent alcoholic.

Board Action: Dr. Walter's license to practice medicine and surgery in the State of West Virginia was surrendered effective April 2, 2001.

West Virginia Board of Medicine Board Members

Sarjit Singh, M.D., President Weirton	Leonard Simmons, D.P.M., Vice President Fairmont
Henry G. Taylor, M.D., M.P.H., Secretary Charleston	R. Curtis Arnold, D.P.M. South Charleston
Rev. Richard Bowyer Fairmont	Ahmed D. Faheem, M.D. Beckley
Angelo N. Georges, M.D. Wheeling	Doris M. Griffin Martinsburg
J. David Lynch, Jr., M.D. Morgantown	Phillip B. Mathias, M.D. Glen Dale
Carmen R. Rexrode, M.D. Moorefield	John A. Wade, Jr., M.D. Point Pleasant
S. Kenneth Wolfe, M.D. Huntington	Kenneth Dean Wright, P.A.-C. Huntington

BOARD MEMBER PROFILE

Angelo N. Georges, M.D.

Angelo N. Georges, M.D., was appointed to the Board of Medicine by then Governor Cecil Underwood in 1998. He is a member of the Complaint Committee and the Malpractice Committee and prior to his service on the Complaint Committee was a member of the Licensure Committee for more than two years.

Dr. Georges graduated with high honors from Youngstown State University in 1980, and obtained his medical degree from Ohio State University. In 1988 he completed his Internal Medicine Residency in Pittsburgh, Pennsylvania at Western Pennsylvania Hospital. He has had an active Internal Medicine practice in Wheeling, West Virginia since 1988, and enjoys medical staff privileges at Wheeling Hospital and Ohio Valley Medical Center. He is a member of the teaching faculty for the Internal Medicine Residency Program at Ohio Valley Medical Center and is Associate Medical Director at Wheeling Hospital, where he serves as the sole preceptor of the Internal Medicine Program for Family Practice Residents.

An active member of the American Medical Society of Internal Medicine and of the Ohio County Medical Society of Wheeling, Dr. Georges is as well a member of the West Virginia State Medical Association and of the Order of Hippocrates, Ohio State

University. He currently serves on the Medical Advisory Committee of the Upper Ohio Valley Health Plan, a Health Maintenance Organization.

Dr. Georges received the American Academy of Family Physicians Award for participation as an active teacher in Family Practice in 1993 and was selected by his colleagues as one of the top Internal Medicine physicians in the Tri-State area in 1996. He is very involved in numerous community organizations and charities in Wheeling, where he lives.

Ext # Staff of the West Virginia Board of Medicine (304) 558-2921		
227	Ronald D. Walton, M.A.	Executive Director
214	Deborah Lewis Rodecker, J.D.	Counsel
216	G. Wayne Van Bibber, J.D.	Prosecutor
212	M. Ellen Briggs	Administrative Secretary to the Executive Director
220	Becky Burgess	Fiscal Officer
222	Leslie A. Higginbotham	Paralegal and Investigator
215	Lynn Hill	Information Systems Coordinator
210	Charlotte A. Jewell	Receptionist/Physician Assistant Coordinator
213	Sherry M. Kelly	Complaints Coordinator
221	Crystal Lowe	Licensure Analyst
224	Tracy Perdue	Verification Clerk
211	Janie Pote	Administrative Secretary to Legal Department

Medical Doctor/Podiatrist Licensure Renewal Update

On June 30, 2001, 96 medical doctors and 2 podiatrists were notified that their licenses were suspended for failure to notify the Board that required continuing education had been obtained. Many of the suspensions occurred because of a failure of the practitioner to notify the Board of a change of address. We are unable to find you if you don't let us know where you have gone!

Some changes were made this year in the license renewal applications. Let us know what you think of these changes. We are attempting to reduce the time necessary for the completion of the application

?? Did You Know ??

For over 60 years, the following has been the law in West Virginia:

West Virginia Code §61-10-21. Unlawful use of prefix “Doctor” or “Dr.”; penalty.

It shall be unlawful for any person to use the prefix “Doctor” or “Dr.” in connection with his name in any letter, business card, advertisement, sign or public display of any nature whatsoever, without affixing thereto suitable words or letters designating the degree which he holds. Any person who shall violate the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each such offense not less than ten nor more than five hundred dollars, or imprisoned in the county jail not more than twelve months, or both fined and imprisoned, in the discretion of the court.

NEWSLETTER VIA E-MAIL REQUEST FORM

- ☐ Yes, I would like to receive my newsletter via e-mail instead of U.S. mail
(Please check the box)

Name of Licensee: _____ **W V License No:** _____

E-mail Address: _____ (i.e.
user@domain.com)

Signature: _____ **Date:** _____
Original Signature of Licensee is Required

CHANGE OF ADDRESS FORM

WV License No: _____ **Date of Change:** _____

Name of Licensee: _____

PLEASE CHECK ONLY ONE PREFERRED MAILING ADDRESS:

(The preferred mailing address is the licensee's address of record, which is public information.)
(Note that telephone numbers are not considered public information.)

() Principal Office or Work Location *ONLY CHECK ONE* () Home Address

Telephone: _____

Telephone: _____

Signature: _____
Original Signature of Licensee is Required

Date: _____

Mail completed form(s) to: **West Virginia Board of Medicine**
101 Dee Drive · Charleston, WV 25311

Fax copies not accepted.

By law, you must keep this office apprised of any and all address changes